

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 22-60352-CIV-DIMITROULEAS

PETER EDWARDS,

Plaintiff,

v.

FUTURE MOTION, INC.,

Defendant.

**ORDER ADOPTING AND APPROVING REPORT AND
RECOMMENDATION OF MAGISTRATE JUDGE**

THIS CAUSE is before the Court upon Defendant's Motion to Dismiss or, in the Alternative, Motion for Sanctions due to Plaintiff's Spoliation of Evidence and Request for Oral Argument [DE 35], and the December 22, 2022 Magistrate Judge's Report and Recommendation (the "Report") [DE 45]. The Court notes that no objections to the Report [DE 45] have been filed, and the time for filing such objections has passed. As no timely objections were filed, the Magistrate Judge's factual findings in the Report [DE 45] are hereby adopted and deemed incorporated into this opinion. *LoConte v. Dugger*, 847 F.2d 745, 749-50 (11th Cir. 1988), *cert. denied*, 488 U.S. 958 (1988); *RTC v. Hallmark Builders, Inc.*, 996 F.2d 1144, 1149 (11th Cir. 1993).

Although no timely objections were filed, the Court has conducted a *de novo* review of the Report [DE 45] and record and is otherwise fully advised in the premises. The Court agrees with the Magistrate Judge's analysis and conclusions.


Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. The Report [DE 45] is **ADOPTED** and **APPROVED**; and

2. Defendant's Motion to Dismiss or, in the Alternative, Motion for Sanctions due to Plaintiff's Spoliation of Evidence and Request for Oral Argument [DE 35] is

DENIED.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida,
this 6th day of January, 2023.


WILLIAM P. DIMITROULEAS
United States District Judge

Copies to:
Counsel of Record
Magistrate Judge Valle